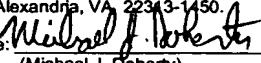


<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. SPINE 3.0-447 CONT	
Application No. 10/771,597-Conf. #3441		Filing Date February 4, 2004		Examiner M. Hoffman	Art Unit 3733
Applicant(s): James D. Ralph, Stephen Tatar, and Thomas J. Errico					
Invention: INSERTION TOOL FOR USE WITH INTERVERTEBRAL SPACERS					
<b>TO THE COMMISSIONER FOR PATENTS</b>					
Transmitted herewith is an amendment in the above-identified application.					
The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present		Rate
Total Claims	9	- 20 =	0	x 50.00	0.00
Independent Claims	2	- 3 =	0	x 200.00	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b> 0.00					
<input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 12-1095 as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Michael J. Doherty Attorney/Agent Reg. No.: 40,592			Dated: January 19, 2007		
LERNER, DAVID, LITTBENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6337					
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.					
Dated: January 19, 2007		Signature: (Michael J. Doherty)			



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated January 19, 2007

Signature:   
(Michael J. Doherty)

Docket No.: SPINE 3.0-447 CONT  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Patent Application of:	:
Ralph et al.	:
Application No.:	Group Art Unit:
10/771,597	3733
Filed:	Examiner:
February 4, 2004	Hoffman, M.
For:	:
INSERTION TOOL FOR USE WITH	:
INTERVERTEBRAL SPACERS	:

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Prior to further examination of the present application, please amend the above-identified application as follows.